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Attorneys for Defendant

*HMB LLC d/b/a and a/k/a Servehazah Bottle Shop and Tap Room*

UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

VICTOR AGUIRRE-VILLANUEVA,  
 individually and on behalf of all others  
 similarly situated,  
  
 Plaintiff

v.

HMB LLC d/b/a and a/k/a SERVEHZAHA  
 BOTTLE SHOP AND TAP ROOM;  
 EMPLOYEE(S)/AGENT(S) DOES 1-10; and  
 ROE CORPORATIONS 11-20, inclusive,  
  
 Defendant

CASE NUMBER: 2:23-cv-01001-CDS-VCF

**STIPULATION AND ORDER TO  
 CONTINUE STAY PENDING  
 MEDIATION**

[ECF No. 10]

Plaintiff Victor Aguirre-Villanueva (“Plaintiff”) and Defendant HMB LLC d/b/a and a/k/a Servehazah Bottle Shop and Tap Room (“Defendant”) (collectively, the “Parties”) by and through their respective counsel, hereby stipulate and respectfully request that the Court extend the stay pending completion of the parties’ mediation on December 14, 2023.

In support of this request, the Parties provide the following information for the Court’s consideration:

1           1.       On May 30, 2023, Plaintiff filed his Collective and Class Action Complaint with the  
2 Eighth Judicial District Court in and for Clark County, Nevada. *See* ECF No. 1-1. Thereafter, on  
3 June 29, 2023, Defendant removed the action to this Court. *See* ECF No. 1. Defendant filed its  
4 Answer (ECF No. 5) on June 30, 2023.

5           2.       Upon the Parties' stipulation, on August 14, 2023, the Court entered an Order to  
6 Stay Discovery Pending Mediation, which stayed these proceedings for approximately 90 days  
7 (until November 13, 2023) in order for the parties to select an available mediator and complete an  
8 agreed-upon mediation. *See* ECF No. 8.

9           3.       While the parties have selected a mediator, the Parties have not yet completed  
10 mediation. Mediation is scheduled for December 14, 2023 before the Honorable Elizabeth  
11 Gonzalez, Retired with Advanced Resolution Management.

12           4.       The Parties are currently devoting their attention to the mediation and are hopeful  
13 they will reach a resolution that will avoid protracted litigation. In order to conserve the Parties'  
14 and the Court's resources, to promote judicial economy, and to increase the likelihood of a  
15 successful mediation, the Parties have agreed, subject to the Court's approval, to extend the current  
16 stay until December 14, 2023, in order for the parties to complete the mediation.

17           5.       In the event that the parties are unable to reach a resolution at the mediation, the  
18 parties agree to file a joint status report informing the Court of the same. The parties further agree  
19 to file a proposed discovery plan and scheduling order within two weeks of filing the joint status  
20 report.

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6. This stipulation is made in good faith and not for the purposes of delay.

DATED this 13th day of November, 2023.

GABROY | MESSER

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Kaine Messer

By: /s/ Jennifer K. Hostetler

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Attorneys for Defendant

Attorney for Plaintiff

#### ORDER

Based on the parties' stipulation, IT IS HEREBY ORDERED that the stay is continued an additional 30 days to allow the parties an opportunity to mediate on December 14, 2023.

IT IS FURTHER ORDERED that the parties must file a joint status report addressing the status of mediation on or before December 22, 2023.

IT IS FURTHER ORDERED that, if the parties are unable to reach a resolution at the mediation, they must file a proposed discovery plan and scheduling order within two weeks of filing the joint status report.

  
UNITED STATES DISTRICT JUDGE

DATED: November 14, 2023